

AFFIDAVIT OF TERENCE COLIN DODD

I, Terence Colin Dodd, do hereby say under oath the following:

1. I am of legal age and competent to provide this affidavit. All the information herein is based on my own personal knowledge.
2. I am a Caucasian male resident of Hillsborough, North Carolina. On the evening of June 26, 2020, I read online about communications from the Alamance Sheriff's department and City of Graham about the City permit requirement for any protest and the City's "State of Emergency" refusal to issue permits. I was quite angered about this, because it is my right to peaceably assemble and be on public property to exercise my First Amendment rights to protest.
3. I wanted to protest the presence of the Confederate monument in Graham because it symbolizes white supremacy and the continuing suppression of the rights of African Americans to be treated equally. So I drove to Graham the next morning, arriving around 5:30am on Saturday, June 27. I parked in a municipal lot downtown. I had prepared a poster sign that read "Black Lives Matter." I peacefully and calmly approached the monument at around 6:00am. My plan was to stay there with my sign for as long as I could, and to use my mobile phone to videotape any encounter with law enforcement officers.
4. I coordinated with no one. I am not a member of any group, or affiliated with any civil rights organization, although I support many civil rights causes when I vote.
5. As I approached the monument, I became very nervous as I saw the Alamance Sheriff Department cruiser parked on one side of the monument. I stopped about 6 feet away from the cruiser, and a deputy in uniform promptly got out.
6. I was nervous and my voice was shaking with emotion as I asked the deputy where I was allowed to be. I was completely by myself, so there was no danger to anyone or to any property, including the monument. I thought if ever there was a good time to let a citizen demonstrate freely, surely this was it, just one month after the killing of George Floyd by police in Minneapolis.
7. I had already stepped back away from the deputy, but he immediately ordered me to step back further. He then walked towards me, and he was not wearing any covering over his mouth and nose, which clearly demonstrated that he had no intention of protecting me or my health or my civil rights.
8. I asked him to explain the ordinance or other legal authority that permitted him to prevent me from demonstrating at the Confederate monument on the courthouse steps. He did not answer me, but instead called on his radio for backup. At this point I noticed that the red light and the green light on his body camera on.

9. Within seconds, it seemed to me, a half dozen squad cars joined us as well as a parade of Sheriff deputies. I estimate there were eight to ten. I felt overwhelmed and fearful in their presence, despite the privilege my race affords me. I just kept saying to them, "Tell me the law, tell me what law I'm breaking," and asking if I was under arrest.

10. I asked who would arrest me if I refused to move. They told me Graham Police Department (GPD). I told them to call GPD. At that point I reminded all of the deputies that they needed to be wearing a mask, especially if they had any intention of getting within 6 ft of me.

11. A GPD officer soon arrived on the scene and eventually told me that I could peacefully walk on the sidewalk around the town square as much as I liked, but that I had to be alone, because if anyone else joined me, I would be in violation of the ordinance.

12. I insisted on being allowed to be there with my sign near the monument on County property.

13. I was very afraid for my safety. I stood my ground for a few minutes until they gave me a 2-minute warning, threatening to arrest me if I did not leave. Intimidated and angry, I retreated to the sidewalk across the street with about 30 seconds to spare.

14. I spent the next three hours walking around the courthouse square. I was not harassed further. I left in my car shortly before 10:00 a.m.

15. I know I walked into the situation with a lot of privilege, but I did not feel at all safe, not one bit, having been forced by those law enforcement officers off of public property and restricted to the sidewalk around the square. The three hours I spent doing that were some of the most stressful I've ever experienced.

16. I am participating in this lawsuit because I want Alamance County to open up the courthouse grounds to peaceful demonstration. I want all law enforcement—including GPD and Alamance County and State Police-- to respect my right to demonstrate against symbols of government-endorsed white supremacy such as the Confederate monument in front of the county courthouse in Graham. I intend to return to Graham to protest in the near future. However, I do not feel safe protesting there because of the way the Sheriff deputies and Graham police officers treated me on June 27, and because of what I have seen in the news and online about their very different and favorable treatment of neo-confederate demonstrators near the monument.

I affirm, under the penalties for perjury, that the foregoing representations are true and accurate.

Terence Colin Dodd

T. Colin Dodd

Date:

2 July 2020